REMARKS

This is in response to the first Office Action mailed July 3, 2002 in connection with the above identified patent application.

By the annexed amendments, claims 1 to 17 are pending in this application.

In particular original claims 5, 6, 7, 11, 13, 15 and 16 have been amended and new independent claim 17 has been added.

No new matter has been added by any of the above mentioned amendments.

Indeed claim 17 is a combination of original claims 1 and 11.

CLAIM OBJECTIONS

Claims 13-16 were objected to under 37 C.F.R. 1.75 (c) as being in improper multiple dependent form.

In view of the above claims 13, 15 and 16 have been amended in their dependencies in order to avoid multiple dependent claim forms.

CLAIM REJECTIONS 35 USC 112

Claims 5-7, 11 were rejected under 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

In order to overcome the above rejections, it has been specified that the word "it" in claims 5-7 refers to moulding element.

Moreover it has been specified that claim 11 depends upon original claim 10.

CLAIM REJECTIONS - 35 USC 102 (b)

Claims 1-12 were rejected under 35 USC 102(b) as being clearly anticipated by ILPEA (EP 924121). ILPEA (EP 924121) is not prior art. In order to qualify as prior art under 102(b), EP 924121 must have been "...patented or described in a printed publication in this or a foreign country or in public use or on sell in this country, more than one year prior to the date of the application for patent in the United States, ..." See 35 USC 102(b).

European Patent Application n. EP 924121 in the name of INDUSTRIE ILPEA S.P.A. was neither published, nor granted before the date of filing of the present invention which is December 23, 1998. EP 924121 was published on June 23, 1999 and granted on September 19, 2001.

Moreover EP 924121 was filed in the name of INDUSTRIE ILPEA S.P.A. with Laudwein, Ferrante and Cittadini as designated inventors; the present application is in the name of the same company and designates the same inventors.

In view of the above situation it is felt that EP 924121 cannot constitute a bar under 35 USC 102(b).

The same consideration applies also to European Patent n. EP 914990 in the name of INDUSTRIE

ILPEA S.P.A. and having the same filing date as the previous prior art application considered.

Considering now the patents/patent application found in the prior art search, please note the following with respect to claim 1:

Patent US 2002/43041 (Yoyasu) was filed on October 10, 2001 which is later than the filing of the present international application.

Patent US 4873804 (Kukke) does not show a continuous support element engaged to a main section bar of elongated conformation and presenting a pre-set number of attachment seats (11) located at a pre-set mutual distance.

Moreover there are no undercuts and corresponding bearing portions respectively on the main section bar and on a longitudinal continuous support element.

Patent US 4870791 (Nelson) shows a structure which is completely different from the one claimed in present claim 1 as the only element having an elongated conformation is the window frame prime jamb 1.

Such an element, even if presenting sort of "longitudinal seat", does not have a longitudinal seat having in cross section a longitudinal opening and undercuts acting in opposition to corresponding bearing portion to other elements.

Also document US 4642954 (Sigerist) does not show or disclose a continuous support element engaged in a longitudinal seat of a main section bar.

Again the longitudinal seat does not present in cross section undercut acting in opposition to corresponding bearing portion of the continuous support element.

Finally no moulding element as claimed in claim 1 can be found also in US patent n. 5491940 (Bruchu).

As per EP Patent n. 337884 it is to be noted that it does not present a continuous support element presenting a pre-set number of attachment seats (11), located at a pre-set mutual distance one from the other.

Moreover the main section bar does not have a longitudinal seat having in cross section a longitudinal opening with undercut acting in opposition on corresponding bearing portion of the continuous support element.

Claim 1 is therefore felt to be new and inventive over the cited prior art.

All the other prior art references cited in the information disclosure statement have been considered but they are not deemed to be pertinent with respect to independent claim 1 of the present application.

Please also note that new claim 17 introduces the technical feature of a plurality of attachment seats

11 defined by closed line and presenting two areas of different dimension and shape (a bigger one - area 11a and a smaller one - area 11b).

None of the prior art shows such a technical feature on a sliding continuous support element 7.

Therefore, also claim 17 is felt to be new and inventive over the prior art.

CONCLUSION

The prior art made of record but not applied by the Examiner has been carefully considered but it is submitted to make obvious or anticipate the claims.

All matters having been addressed above and in view of the pending claims and remarks, applicant respectfully requests the entry of this amendments, the Examiner's reconsideration of the application and the timely allowance of the pending claims.

Applicant's counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this application.

Respectfully submitted,

Robert F. I. Conte
Lee, Mann, Smith, McWilliams,
Sweeney & Ohlson
209 South LaSalle Street, Suite 410
Chicago, Illinois 60604-1202
Telephone: (312) 368-1300
Facsimile: (312) 368-0034

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Claims 5, 6, 7, 11, 13, 14 and 16 have been amended as follows:

5. (once amended) Moulding element according to claim 1, [characterized in that it comprises] comprising axial locking means (14) operatively interposed between said main section bar (2) and said attachment means (6).

6. (once amended) Moulding element according to claim 1, [characterized in that it comprises] comprising a finish coating (3) associated to an outer side (2a) of the main section bar, said finish coating (3) being [preferably] associated to the main section bar by means of injection moulding.

7. (once amended) Moulding element according to claim 1, [characterized in that it comprises] comprising a flexible seal lip (4) extending longitudinally along substantially the entire development of the moulding element itself and presenting a base portion (4a) engaged on the main section bar.

11. (once amended) Moulding element according to [clain110], claim 10 characterized in that the peripheral lip delimiting the attachment seat (11) defines at least an area (11a) for the insertion of fastening projections (9) and at least an area (11b) for blocking the fastening projections (9) in an axial direction of motion of the moulding element away from the body, the fastening projections (9) of the body comprising a head and a connecting stem between the head and the body, said head

presenting a radial dimension greater than the radial dimension of the stem.

13.(once amended) Moulding element according to [any one of the claims 1 to 12,] claim 1 characterized in that the continuous support element (7) presents a pre-set number of attachment seats (11) each delimited at least in one side of the continuous element (7) destined to face the body, by a peripheral lip defining an open line connected to the subsequent and to the preceding seat.

15. (once amended) Moulding element according to claim [claims 13 and] 14, characterized in that, in correspondence with the blocking area (11b), the peripheral lip presents a projecting portion (15) defining at least an undercut (16) set to act in opposition on a corresponding arresting portion of the head of the projection (9) to prevent separating motions between the moulding element (1) and the body (5) of the vehicle.

16. (once amended) Method for the manufacturing of a moulding element and for assembling the same to a motor vehicle body[, said moulding element being preferably of the type disclosed in anyone of the preceding claims, the method] comprising the following phases:

- realizing [the] a main section bar (2) of elongated conformation and provided with [the] a longitudinal seat (8);
- realizing [the] a continuous support element (7) presenting a pre-set number of attachment seats (11) positioned at a pre-set mutual distance;
- engaging the continuous support element (7) to the main section bar (2) prior to associating the moulding element (1) to the body (5) of a motor vehicle; and

- axially fastening the main section bar (2) and the support element (7) prior to associating the moulding element (1) to the body (5) of a motor vehicle, said engaging phase of the continuous support element (7) to the main section bar (2) being realized by sliding the continuous support element (7) through the longitudinal seat (8).

New claim 17 has been added as follows:

17. Moulding element for motor vehicle bodies comprising:

- a main section bar (2) of elongated conformation;
- attachment means (6) operatively associated with the main section bar (2) and destined to engage a corresponding securing area (5a) of the body (5) of a motor vehicle, said attachment means (6) including:
  - a continuous support element (7) engaged to the main section bar (2), said support element (7) presenting a pre-set number of attachment seats (11) delimited at least in one side of the continuous element (7) destined to face the body (5), by a peripheral lip defining a closed line, the peripheral lip delimiting the attachment seat (11) defining at least a large area (11a) for the insertion of a fastening projection (9) and at least a small area (11b) for blocking the fastening projection (9) in an axial direction of motion of the moulding element away from the body, said attachment seats (11) being located at a pre-set mutual distance suitable for engagement projections carrying by said securing area (5a); and
  - a longitudinal seat (8) on the main section bar (2) for receiving said continuous

support element (7), the longitudinal seat (8) presenting in cross section a longitudinal opening (10) to allow access to said attachment seat (11) and undercuts (12) acting in opposition on a corresponding bearing portion (13) of the continuous support element (7).